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08/202,853 02/25/94 PARULSKI

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TUNG, K EXAMINER

B3M1/0523

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ART UNIT PAPER NUMBER

2317

12

DATE MAILED: 05/23/94

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on \_\_\_\_\_ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), \_\_\_\_\_ days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892.        | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-848. |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449.  | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152.       |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/>   |

**Part II SUMMARY OF ACTION**

1. ☒ Claims 19-22, 25-31, 37, 40-46 are pending in the application.  
Of the above, claims \_\_\_\_\_ are withdrawn from consideration.
2. ☐ Claims \_\_\_\_\_ have been cancelled.
3. ☐ Claims \_\_\_\_\_ are allowed.
4. ☒ Claims 19-22, 25-27, 37, 40-43, 29, 31 are rejected.
5. ☒ Claims 8, 30, 44-46 are objected to.
6. ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed \_\_\_\_\_, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

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1. The preliminary amendment filed 2/25/94 has been considered in preparing this action.

2. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

3. Claims 19-22, 25-31, 37, and 40-46 are rejected under 35 U.S.C. § 103 as being unpatentable over Kristy (5,218,455) in view of Sato et al (EP 0,400,503).

As per claim 19, Kristy teaches a digital image processing system having a plurality of images digitized as image data (digitized by his "scanner") and stored in respective image data files therein, a plurality of image memories (his "host computer", col. 3, lines 3-33); an output for coupling thereto an

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image display device (his "home TV monitor", last line of abstract) having a screen for display of images, for controlling the display of the image, comprising the steps of selecting a plurality of image data files (the image data files created by his scanner); reading and loading the image data into his host computer memories and then writes the image data into the photo CD and displaying the image data on the screen (by his CD reader); and the person is able to access image manipulation function (col. 5, lines 25-40). However, Kristy fails to explicitly teach defining the screen to contain a plurality of sections. This is what Sato et al teaches (Figs. 4-6). Sato et al further teaches a high-speed image search system for image data storage system, which comprises a plurality of memories (20, 26); a display (24); display controller (44); a scanner (18); a printer (25); CPU (34); main memory (38); display memory (42); selecting a plurality of images displayed on the screen sections for manipulation (selecting device 23, 29, 34, ST2); and manipulating each of the selected images responsive to a single user command, whereby each selected image is manipulated in the same way at the same time (his "multiwindow display", Fig. 6). It would have been obvious to one of ordinary skill in the art at the time the present invention was made to combine the teachings of Sato et al into the system of Kristy in order to obtain a highly desirable high-speed/efficiency image searching system as

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taught by Sato et al (see col. 1, lines 15-48). Therefore, claim 19 reads on Kristy and Sato et al.

As per claim 20, Kristy teaches the screen includes 2-D array of pixels by row and column (col. 10, lines 20-22).

As per claim 21, Sato et al teaches mapping the image data pixels to the screen pixels by row and column (abstract).

As per claim 22, Sato et al teaches changing the mapping of the image data pixels to the screen pixels (abstract).

As per claims 25-27 and 29, Kristy teaches the step of manipulating includes decimating/cropping/zooming/panning the image data (col. 2, lines 9-15).

As per claim 31, the combined system fails to explicitly teaches mapping image data by different degree of angle to the screen. However, this is nothing more than rotating the image by different degree of angle which was old and well known in the art, and cannot be considered to provide patentability to the claim. Therefore, claim 31 would have been obvious.

As per claim 37, Kristy teaches a plurality of memories (host computer); user command means for registering user commands (his CD reader reads commands input by an operator) and control means (host computer) and Sato et al further teaches access time to display the sequentially adjacent image file pursuant to said subsequent user command is shortened (abstract).

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Claims 40-43 are similar in scope to claims 20-21 and 25-26, and thus are rejected under similar rationale.

4. Claims 28, 30 and 44-46 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

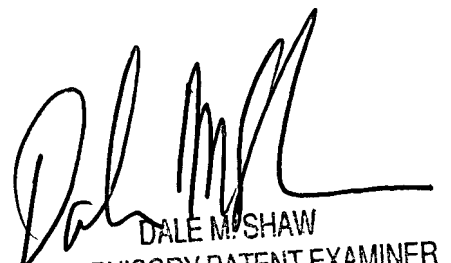
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kee Tung whose telephone number is (703) 305-9660.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.



K TUNG

May 19, 1994



DALE M. SHAW  
SUPERVISORY PATENT EXAMINER  
GROUP 230